

TO: JAMES L. APP, CITY MANAGER

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: OTR 08-001 - REQUEST TO REMOVE ONE OAK TREE (Paso Robles Inn)

DATE: FEBRUARY 5, 2008

Needs: For the City Council to consider a request by Michael Cordsen on behalf of the Paso Robles Inn, to remove one oak tree located within the central garden area.

Facts:

1. The site is located at 1103 Spring Street (See attached Vicinity Map, Attachment 1).
2. The subject oak tree is a 39-inch diameter, double trunk, Valley Oak (*Quercus Agrifolia*).
3. The request to remove the tree is in relation to concerns of Mr. Cordsen that the tree may be a hazard to hotel tenants and employees, as a result of the tree significantly leaning over the pedestrian walkway and the creek area. Mr. Cordsen contacted A&T Arborists to assess the condition of the tree and make recommendations.
4. Steven Alvarez of A&T Arborists has provided an Arborist Report along with the ISA Tree Hazard Evaluation Form (Attachment 2), indicating the tree would meet the criteria to be considered hazardous and should be removed immediately.
5. Since the tree shows signs of growth, the Director can not make the determination that the tree is “clearly dead or diseased beyond correction,” and therefore, Section 10.01.050.C of the Oak Tree Ordinance would consider the tree “healthy” and require that the City Council make the determination of whether the tree should be removed or not, after consideration of the factors listed in Section 10.01.050.E. The factors and staff’s responses are described in the Analysis and Conclusion section of this staff report.

Analysis

And

Conclusion: According to Section 10.01.050.E, there are several factors that the City Council needs to review when considering the removal of a “healthy” oak tree. These factors along with Staff’s analysis of each factor are listed below:

D. If a request is being made to remove one or more healthy oak trees for which a permit to remove is required, the director shall prepare a report to the City Council, outlining the proposal and his recommendation, considering the following factors in preparation of his recommendation.

- 1. The condition of the oak tree with respect to its general health, status as a public nuisance, danger of falling, proximity to existing or proposed structures, interference with utility services, and its status as host for a plant, pest or disease endangering other species of trees or plants with infection or infestation;*

Steven Alvarez of A&T Arborists has provided a report indicating that the tree proposed for removal, is not healthy and would meet the ISA criteria of being considered hazardous. More specifically the report indicates that the tree has oak root fungus, has lean severity and has significant cavities. The report indicates that the tree should be removed immediately since it would be a hazard to tenants and employees of the Inn if it were to fall. The Arbor Report including color photos is attached as Attachment 3.

- 2. The necessity of the requested action to allow construction of improvements or otherwise allow reasonable use of the property for the purpose for which it has been zoned. In this context, it shall be the burden of the person seeking the permit to demonstrate to the satisfaction of the director that there are no reasonable alternatives to the proposed design and use of the property. Every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees;*

The request to remove the tree is specific to the tree being a hazard. There is no development proposed in conjunction with the removal of the tree.

- 3. The topography of land, and the potential effect of the requested tree removal on soil retention, water retention, and diversion or increased flow of surface waters. The director shall consider how either the preservation or removal of the oak tree(s) would relate to grading and drainage. Except as specifically authorized by the planning commission and city council, ravines, stream beds and other natural water-courses that provide a habitat for oak trees shall not be disturbed;*

There would not be any negative effects on soil retention, water retention or surface water flows for the neighborhood, if this tree were to be removed.

4. *The number, species, size and location of existing trees in the area and the effect of the requested action on shade areas, air pollution, historic values, scenic beauty and the general welfare of the city as a whole;*

There are other large trees located on the Paso Robles Inn grounds that will remain and be preserved.

5. *Good forestry practices such as, but not limited to, the number of healthy trees the subject parcel of land will support.*

See comments above.

If the Council allows the tree to be removed, the Ordinance would require that seven (7) 1.5-inch diameter replacement oak trees be planted, based on the 39-inch diameter trunk diameter.

Policy

Reference: Paso Robles Municipal Code Section 10.01.010 (Oak Tree Ordinance)

Fiscal

Impact: None.

Options:

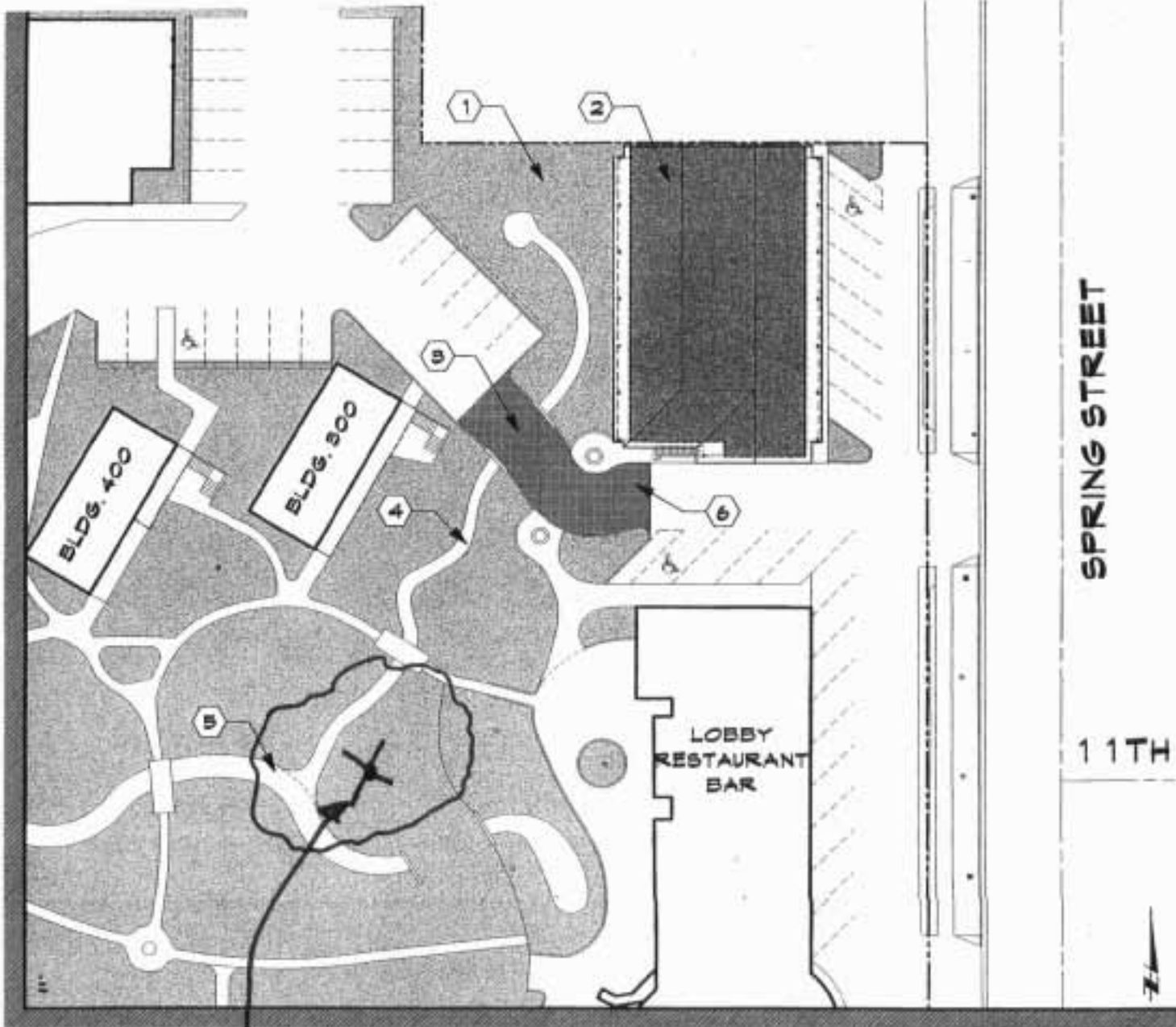
- A. Adopt Resolution No. 08-xx approving OTR 08-001, allowing the removal of the 39-inch Valley oak tree, based on the tree being in poor health, and being a hazard, and require seven 1.5-inch diameter oak trees to be planted, or the necessary donation made to the City's Oak Tree fund.
- B. Amend, modify or reject the above options.

Report prepared by: Darren Nash, Associate Planner

Attachments:

1. Vicinity Map
2. Arborist Report
3. Resolution to approve the removal of the tree.

H:\Darren\oaktreeremoval\Cherry St.



APPROX. LOCATION OF TREE

A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131



Paso Robles

December 3, 2007

JAN 10 2008

Planning Division

Background Information:

On December 3, 2007 we were contacted by Michael Corlsen Manager of the Paso Robles Inn to perform a hazard tree examination on a tree in their landscape that appeared to be leaning over the walkway and creek area.

Assignment:

1. Perform an on-site investigation to assess the lasting integrity of the tree.
2. Prepare a written report discussing our observations and conclusions about the investigation.

Limitations of the assignment: I believe the thoroughness of the on-site examination is adequate for making reliable conclusions, professional recommendations, and completing this assignment. However, the following limitations should be documented.

1. The report is limited to documenting the condition of the trees on the dates given.
2. No aerial observations were made.

Observations:

Investigative Procedures:

Observations, measurements and documentation were performed from the ground with the use of a camera, tape measure, binoculars.

Data collected was documented on a form called hazard evaluation form pages 1 & 2.

When conducting the on-site examination, observations of site, soil root collar, trunk, branch attachments, lateral branches, shoot tips, and leaves were documented.

Site Observations:

The site is landscape nicely and the subject tree is in a lawn setting.

Tree Characteristics:

The subject valley oak tree is growing on the south side of the creek. Tree is approximately 40' tall and has a 40' spread the trunk diameter is 39".

The trees form is major asymmetry, the live crown ratio is 50% and the age class is mature. The tree has had several pruning events. The crown class is observed as suppressed and we have categorized the Special Value as being indigenous and protected by government.

Tree Health:

The foliage color is normal and epicormic growth was observed. Foliage density was overall sparse and the leaf size was normal, the only growth obstruction and always has been is the bridge. The vigor class is at best fair and pit scale was observed from the recent small twig fallings.

Site Conditions:

The site character is commercial hotel. The tree has daily irrigation water supply. The wind exposure is mostly above the canopy and the prevailing wind direction is from the west. The Occurrence of snow and ice storms is identified as seldom (10-15) years.

Target:

The potential target could impact pedestrian traffic, landscape, hardscape and small features. The targets cannot be moved or restricted. The target occupancy is documented as constant use do to the walk ways within the landscape areas.

Tree Defects:

The subject tree has a severe case of oak (*Armillaria mella*) oak root fungus. Please see photos 1-7. The tree has a natural lean of 20 degrees, lean severity noted as severe, no soil was observed as heaving, cracking and no broken roots observed.

Testing and Analysis:

No testing was done during our examination and only visual inspection was done to determine the oak root fungus.

Discussion:

The presents of oak root fungus has been within the subject tree for many years and there is no registered control for the fungus.

Conclusions:

The subject tree will most certainly circum to the fungus. Due to the scaffolds and trunk configuration having a 20 degree lean form vertical and the decay is in the plane of the lean makes the subject tree prone to failure at the trunk crown. This situation will definitely have the tree fall across the nearby walkway creating a very hazard situation for anyone walking on the walkway.

Recommendations:

After examination and review of the subject tree we have rated the hazard as 12, out of 12. We recognize the subject tree as a hazard that cannot be abated. Due to the above examination we feel the subject tree is an immediate action needed and should be removed as per the City of Paso Robles emergency removal clause 10.01.065-A before the tree falls on an unsuspecting guest of the Paso Robles Inn.

Steven G. Alvarez
Certified Arborist #WE 0511-A



JAN 11 2008

Planning Division



A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas

TREE HAZARD EVALUATION FORM 2nd Edition

Site Address: Paso Robles Inn 1103 Spring St. PR CA
Map Location #61
Owner: public private X unknown other
Date: 12-3-07 Inspector: STEVEN G. ALVAREZ #446-0511A
Date of last inspection: 12-3-07

HAZARD RATING:
4 - 4 - 4 = 12
Failure Potential, Size of part, Target Rating, Hazard Rating
Immediate action needed
Needs further inspection
Dead tree

TREE CHARACTERISTICS

Tree #: 61 Species: Quercus Agrifolia Live Oak
DBH: 39" # of trunks: 2 Height: 45' Spread: 45'
Form: X generally symmetric
Crown class: X co-dominant
Live crown ratio: 50% Age class: X semi-mature
Pruning history: X crown raised
Special Value: none

TREE HEALTH

Foliage color: X chlorotic
Foliage density: X sparse
Annual shoot growth: X poor
Woundwood development: X poor
Vigor class: X poor
Major pests/diseases: oak root fungus (Armillaria mellea)

SITE CONDITIONS

Site Character: X commercial
Landscape type: X lawn
Irrigation: X excessive
Recent site disturbance? Y N
% drip-line paved: 0%
% drip-line w/ fill soil: 0%
% drip-line grade lowered: 0%
Soil problems: X disease center
Obstructions: X below canopy
Exposure to wind: X below canopy
Prevailing wind direction: West

TARGET

Use Under Tree: X landscape X hardscape X small features
Can target be moved? Y N Can use be restricted? Y N
Occupancy: X constant use

The International Society of Arboriculture assumes no responsibility for conclusions or recommendations derived from use of this form.

TREE DEFECTS

ROOT DEFECTS:

Suspect root rot: Y N Mushrooms/bracket present: Y N ID: Oak root Fungus (Armillaria mellea)
 Exposed roots: severe moderate low Undermined: severe moderate low
 Root pruned: _____ Distance from trunk: _____ Root area affected: _____ Buttress wounded: Y N When: ?
 Restricted root area: severe moderate low Potential for root failure: severe moderate
 LEAN: 20° deg. from vertical natural unnatural self-corrected Soil heaving: Y N
 Decay in plane of lean: Y N Roots broken: Y N Soil cracking: Y N
 Compounding factors: _____ Lean severity: severe moderate low

CROWN DEFECTS: Indicate presence of individual defects and rate their severity (S = severe, M = moderate, L = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper				
Low sweep				
Codominant/forks	SEVERE	SEVERE		
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling				
Woundstream				
Decay	SEVERE	SEVERE		
Cavity	SEVERE	SEVERE		
Conks/mushrooms/bracket	SEVERE	SEVERE		
Bleeding sap flow				
Loose/cracked bark				
Rotting holes/beehive				
Deadwood/stubs				
Bark/fern/epiphytes				
Cankers/scale/bark				
Previous failure				

HAZARD RATING

Tree part most likely to fail: Trunk @ Crown
 Inspection point: aerial ground manual other
 Failure Potential + Size of Part + Target Rating = Hazard Rating
4 + 4 + 4 = 12

Failure potential: 1 - low; 2 - medium; 3 - high; 4 - severe
 Size of part: 1 - <6" (15 cm); 2 - 6-10" (15-45 cm); 3 - 10-30" (45-75 cm); 4 - >30" (75 cm)
 Target rating: 1 - occasional use; 2 - intermittent use; 3 - frequent use; 4 - constant use

HAZARD ABATEMENT

Precedence: remove defective part reduce end weight crown clean thin raise canopy crown reduce restructure shape
 Cavity/bracket: _____ Inspect further: root crown decay aerial monitor
 Remove tree: Y N Replace? Y N Move target: Y N Other: _____
 Effect on adjacent trees: none evaluate
 Notifier: owner manager governing agency Date: 12-3-07

COMMENTS

This tree must be removed now! Not ASAP but now!
Photos. 1 thru 7

- 1.) East side trunk @ crown cavity & mushrooms
- 2.) West side trunk @ crown cavity & mushrooms

Specimen: TREE HAZARD EVALUATION FORM, Page 2

- 3.) South side trunk @ crown cavity & cement (i)
- 4.) West side trunk & cement in cavity (i)
- 5.) West side cavity
- 6.) Shows scaffolds near from vertical 20° on both scaffolds aerial 1 & 4
- 7.) Shows chlorotic foliage on subj.



West side of Trunk



opening 12"
note trunk area

Mushroom Fruiting bodies from oak root fungus

"South side of tree"



old cut by Filbert w/ the cement (A)

old wound from oak root fungus.

(3)

4

South/West side of tree Viewing North



old cavity
Filled w/ cement
(4) poor practice
that creates
decay.

old cavity

5

West side of tree



↓ cavity @ base of trunk 24" x 12" x 12"

6



Lean From vertical
20°

20°
Lean From vertical

Viewing West overall view of subject tree



chlorotic foliage symptom
of oak root fungus
infestation.

RESOLUTION NO. 08-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING THE REMOVAL OF ONE OAK TREE
(Paso Robles Inn)

WHEREAS, Michael Cordsen, on behalf of the Paso Robles Inn, has submitted a request to remove a 39-inch Valley Oak Tree located within the central garden area; and

WHEREAS, the Paso Robles Inn is located at 1103 Spring Street; and

WHEREAS, Steven Alvarez, Arborist has provided a report along with a Hazard Evaluation form, in which he concludes that the tree meets the ISA criteria for being a hazard and should be removed immediately; and

WHEREAS, the Director could not make the determination that the tree is “clearly dead or diseased beyond correction,” and therefore, Section 10.01.050.C of the Oak Tree Ordinance would consider the tree “healthy” and require that the City Council make the determination of whether the tree should be removed or not, after consideration of the factors listed in Section 10.01.050.E; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby:

1. Authorize the removal of one (1) 39-inch Valley Oak tree based on the tree being in poor condition including root fungus, and lean severity, and based on the opinion of the Arborist that the tree is a hazard and should be removed immediately;
2. Require the planting of seven (7) 1.5-inch diameter Valley Oak replacement trees; to be planted at the direction of the Arborist, or make a donation in the amount of \$200 per tree to be paid to the City's Oak Tree replacement fund.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 5th day of February 2008 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk